

PUBLIC WORKS AND UTILITIES COMMITTEE

11-0491R

RESOLUTION AUTHORIZING AGREEMENT ACCEPTING AN EASEMENT
FROM EDMUNDS SMITH CAPITAL PARTNERS, LLC AT NO COST.

CITY PROPOSAL:

RESOLVED, that the proper city officials are hereby authorized to enter into an agreement, a copy of which is on file in the office of the city clerk as Public Document No. _____, with the Edmunds Smith Capital Partners, LLC granting a utility easement over a portion of the following-described property in St. Louis County, Minnesota to the city at no cost:

The easterly 15 feet of the southerly 30 feet of Lot 20,
Block 8, MOTOR LINE DIVISION OF DULUTH

Approved:



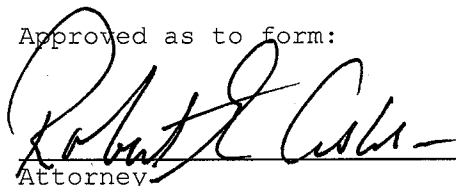
Department Director

Approved for presentation to council:




Chief Administrative Officer

Approved as to form:



Attorney

Approved:



Auditor

PW&U/ATTY REA:dma 09/16/2011

STATEMENT OF PURPOSE: The purpose of this resolution is to authorize an agreement with Edmunds Smith Capital, LLC accepting a small but needed utility easement over property located east of Woodland Avenue, north of Woodland Junior High School and south of Mount Royal Shopping Center.

EASEMENT AGREEMENT

This EASEMENT AGREEMENT, entered into this 24th day of Aug., 2011, by and between the undersigned Edmunds Smith Capital Partners, LLC, A Minnesota limited liability company "Grantor" and the City of Duluth, a municipal corporation created and existing under the laws of the State of Minnesota, "Grantee":

WITNESSETH:

Whereas, Grantor is the owner of the property in St. Louis County, Minnesota legally described as follows (the "Property"):

Lots 20, Block 8, MOTOR LINE DIVISION OF DULUTH, St. Louis County, Minnesota, according to the plat thereof and on file in the office of the Recorder in said County and State.

P.I.D. No.: 010-3360-01120

Whereas, Grantor wishes to convey to the Grantee an easement as hereinafter described for utility purposes over the Property for the benefit of the Property.

NOW THEREFORE, in consideration of One (\$1.00) Dollar and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does grant, sell, bargain and convey to Grantee in trust for the general public a permanent perpetual and exclusive easement for utilities the location of which easement is more particularly described as follows:

EXHIBIT A

(THIS EXHIBIT IS PROVISIONAL AND SHALL BE REPLACE BY THE GRANTEE WITH A DRAWING AND LEGAL DESCRIPTION THAT IS BASED UPON A SURVEY OF THE SUBJECT EASEMENT)

